

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE TREMONT SECURITIES LAW, STATE
LAW, AND INSURANCE LITIGATION

This document relates to: Securities Action 08 Civ.
11212 (TPG)

Master File No.:
08 Civ. 11117 (TPG)

ECF FILED
ORAL ARGUMENT REQUESTED

**KPMG LLP'S MOTION TO DISMISS THE COMPLAINT
OR ALTERNATIVELY TO COMPEL ARBITRATION
AND TO STAY THE CONSOLIDATED SECURITIES ACTION**

For the reasons explained in the accompanying memorandum of law, KPMG LLP moves to dismiss the complaint with prejudice or, in the alternative, to compel arbitration and stay the action and for an order granting such other and further relief as the Court may deem just and proper.

KPMG LLP requests oral argument in this matter.

Dated: New York, New York
May 20, 2009

HOWREY LLP

By: /s/ Gregory G. Ballard
Gary F. Bendinger (GB 6728)
Gregory G. Ballard (GB 6073)
R. Corey Worcester (RW 6314)

Citigroup Center
153 East 53rd Street, 54th Floor
New York, NY 10022
Telephone: (212) 896-6500
Facsimile: (212) 896-6501
BendingerG@howrey.com
BallardG@howrey.com
WorcesterC@howrey.com

WILLIAMS & CONNOLLY LLP

John K. Villa (pro hac vice)
David A. Forkner (pro hac vice)
725 Twelfth Street, N.W.
Washington, D.C. 20005
Telephone: (202) 434-5000
Facsimile: (202) 434-5029
jvilla@wc.com
dforkner@wc.com

Attorneys for defendant KPMG LLP